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January 31, 2018

VIA ECF

Honorable Rosemary Gambardella
United States Bankruptcy Court
50 Walnut Street, 3rd Floor
Newark, N.J. 07102

Re: In re: Grace Hwang, Case No. 17-34208 (RG)

Dear Judge Gambardella.

This firm serves as counsel for HSBC Bank USA, National Association as Trustee for Deutsche ALT-A Securities, Inc. Mortgage Pass-Through Certificates, Series 2007-1 ("HSBC"),¹ a creditor of the debtor, Grace Hwang ("Hwang") with a first mortgage lien on real property located at 22 Tulip Tree Lane, Borough of Alpine, New Jersey (the "Property").

On January 18, 2018, HSBC filed an objection to confirmation of the Debtor's Chapter 13 Plan (the "Objection"). See Docket No. 17. We are providing the Court with the within letter to supplement the Objection. The Chapter 13 Plan should not be confirmed because based on the Debtor's own admissions, she is not eligible for relief under Chapter 13 of the United States Bankruptcy Code (the "Bankruptcy Code").

To be eligible for relief under Chapter 13 of the Bankruptcy Code, an individual's secured debt must not exceed the sum of \$1,184,200 and her unsecured debts must not exceed the sum of \$394,725. See 11 U.S.C. § 109. The Debtor's Schedules reflect that her liabilities are as follows: \$4,500,000 of secured debt and unsecured debt of \$31,458.² Thus, by the Debtor's own admission, she is ineligible to be a Chapter 13 debtor and, as such, confirmation of the Debtor's Plan must not only be denied, but the Debtor's case should be dismissed.

¹ Simultaneously herewith, a substitution of attorney is being filed substituting Norris, McLaughlin & Marcus, PA as counsel for HSBC.

² As set forth on the Debtor's Schedules, the secured claim is made up of HSBC's lien on the Property. By citing the figures referenced in the Debtor's Schedules, HSBC does not acknowledge the Debtor's figures or her valuation of the Property. Nonetheless, given the amount of HSBC's claim, there is no conceivable scenario where the Debtor could qualify for Chapter 13 protection as any reduction in the secured claim would increase the unsecured debt to beyond the limit set forth in Section 109 of the Bankruptcy Code.



January 31, 2018
Page 2

Based on the foregoing, HSBC respectfully submits that the Debtor does not qualify to seek relief under Chapter 13 and that her case must be dismissed. In the unlikely event that the Court concludes otherwise, confirmation of the Debtor's Plan should be denied for all the reasons set forth in the Objection.

We thank the Court for its consideration of this matter.

Respectfully submitted,

/s/ Melissa A. Pena

Melissa A. Pena

cc: Kwangsoo Kim, Esq. (Via ECF)
Marie-Ann Greenberg, Esq. (Via ECF)